

BOARD OF COMMISSIONERS**February 5, 2004**

Stuart L. Johnson, Mayor
Darrell Mangrum, Vice-Mayor
Eddie Arney, Commissioner
Ken Brison, Commissioner
Wayne Hall, Commissioner
Alan W. Deck, City Manager
Larry Cantrell, City Attorney
Kathleen Daugherty, Recorder

Present: Johnson, Mangrum, Arney, Brison, Hall

Others Present: Deck, Cantrell

Absent:

1. The meeting was called to order by Mayor Johnson at 7:08 p.m.

A. Mayor Johnson led the Prayer and Pledge to the Flag.

2. Approval of the Agenda –

A. Added to the Agenda to modify Item E under Old Business from “Appointment” to “Consider Amending the Tree Planting & Protection Ordinance and Appointment of Members”. Hall made a motion to approve the Agenda as amended. Mangrum seconded the motion. All were in favor.

3. Citizen Comments- None**4. Awards and Recognitions – None****5. Public Announcements – None****6. Approval of Minutes -**

A. Presented for approval were the minutes of the Board of Commissioners Meeting held on January 15, 2004. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.

B. Presented for approval were the minutes of the Beer Board Meeting held on January 15, 2004. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.

7. Old Business –

A. Presented for second and final reading was Bill #2004-01: An Ordinance to amend the Fairview Zoning Ordinance by changing the zoning classification of Map 43, Parcel 22.01 containing 14.28 acres located on Northwest Hwy. from RS-40 to R-20. Johnson read the caption. Hall made a motion to pass Bill #2004-1 on second and final reading. Arney seconded the motion. All were in favor.

- B. Bids on Lot 10G in the Industrial Park – Deck reported that he has not had the lot surveyed or the sixty-foot right-of-way cut out. However he did not feel this would have very little effect on the value or the sale of the property. He further advised that the offer of \$16,000 is only \$2,431 per acre (the lot is approximately 6.58 acres) and lots of that quality on that side of the Industrial Park have averaged about \$12,000 per acre. He strongly recommended that the City not sell at that price. The City would be better off to give the lot away and try to attract an industry, than to settle for \$16,000. Brison made a motion to reject all bids received on Lot 10G. Arney seconded the motion. All were in favor.
- C. EMS Lease Agreement – Deck presented a revised lease agreement and advised that the County agreed with the ninety day termination clause and have signed the agreement. Brison made a motion to approve the Mayor signing the agreement as amended (see attached copy) Arney seconded the motion. All were in favor.
- D. Subdivisions: Grinder vs. Pump Station – Deck stated that he did not have anything in writing from the engineer. However, engineer Jay Tant has advised that a gravity system can work on subdivisions as small as four units depending on the location.
- E. Appointment to Tree Commission and Revision of Present Ordinance – Deck presented Bill #2004-3 which would revise the present ordinance to say that four members of the Tree Commission shall be appointed by the Mayor, with the approval of the Board and one of these members shall be a local contractor/developer. The Mayor, Vice-Mayor, and Chairperson of the Planning Commission shall serve as the other three members. Deck also advised that this would take care of the two vacancies presently on the Tree Commission. Terms of office were discussed. Lynn Bachleda advised that they were given a list of members and terms of office at their first meeting. Mayor recommended that Walt Totty serve on the Tree Commission as the local contractor and to fill the two year term vacancy. The Chairperson of the Planning Commission will fill the other vacancy. Johnson made a motion to appoint Walt Totty to the Tree Commission. Mangrum seconded the motion. Discussion was held and it was determined that they need to adopt the amended ordinance before appointing the Contractor/Developer member. Vote on motion was tabled until after the second reading.

Discussion moved to a local church making a donation to the City for removing trees on their property without permission. Deck reminded the Board that his amended ordinance is concerning the membership only. Johnson asked for a motion to adopt Bill #2004-3: Amending the Tree Protection Ordinance. Brison made a motion to adopt it on first reading. Hall seconded the motion. All were in favor.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on January 13, 2004:
 - (1) Amend the Zoning Ordinance and Map by rezoning the Western Woods Village Subdivision, Map 42, Parcel 182.01, 14.66 acres to RS-8 PUD, 1.48 acres to RM-12 PUD, 6.29 acres to RM-1112 PUD, and .49 acres to CG PUD. Presented for first reading was Bill #2004-2. Johnson read the caption. Arney made a motion to adopt it on first reading. Mangrum seconded the motion. Brison asked questions about the commercial developments within the residential development. Tim Mangrum was present to answer his questions. Vote on motion. All were in favor.

The public hearing and second reading will be held on March 4th due to the fifteen day requirement to be published in a local paper.

- B. Resolution: Official City Tree – Deck stated that the Tree Commission has asked that the Red Bud be designated as the official City Tree. Arney advised that the Red Maple was designated as the official City Tree a few years ago. Lynn Bachleda stated that the Tree Commission would like for it to be the Red Bud. Deck was asked to reword the resolution for the next meeting to state that the City is reestablishing an official city tree and that is the Red Bud Tree.
- C. Policy on Patrol Cars – Arney asked who sets the policy on the use of the Patrol Cars. Deck advised that he and the Chief of Police set the Policy. Arney asked Deck if he was satisfied with the present policy. Deck advised that he was and the present policy has been in effect since August of 2002 which states any newly hired officers will not drive their patrol cars home unless they live in the City limits. Arney stated that he felt the policy should be left to the discretion of the City Manager but the Board should be informed of any changes.
- D. SSR Suggestion on Alternative Phosphorus Removal at Sewer Plant – Deck advised that Herby Rader of Smith, Seckman Reid notified him of a way to avoid the “Notice of Violation” being received from the State for excess phosphorus. (see attached letter) The cost of the system is \$24,525. This system can postpone the need for the phosphorus basin that is proposed for the present plant modification. The estimated cost of the phosphorus basin is \$250,000. Brison made a motion to implement the new system. Arney seconded the motion. All were in favor.

9. City Manager Items for Discussion and/or Action –

- A. City Hall Questions and Comments – Deck reported that there will be a meeting with the bond company, Paul Newman, the Contractor, and the Architect next Thursday at 9:00 a.m. at which time they will provide a schedule on the completion of the city hall. Deck also advised that they have advertised for the signs. There were two bids received one from A-1 Signs in the amount of \$7,645 and one from Southern Signs in the amount of \$16,099. Deck asked the Board if they were still interested in having a clock on the front of the building. The Board advised that they were. Recess was taken to allow Deck to get the bids so the Board could see the proposed signs. The meeting was called back to order at 8:20. The Board agreed that the low bid from A-1 Signs should be accepted for the sign at city hall.
- B. Annexation of Hwy. 96 North to Dickson County – Deck gave the Board a list of the property owners and a map on the North side of I-40 to the Dickson County line. It was decided to have a public hearing on the annexation on March 4th.

10. Communications from the Mayor and Commissioners –

- A. Brison asked Deck if any of the sewer customers on the I-40 Sewer Project have been connected to the system. Deck stated that they have not and explained that there have been letters sent stating they will be billed if not connected by March 8th.

11. The meeting adjourned at 8:43 p.m.

Mayor

City Recorder

